

**Court of Appeals, State of Michigan**

**ORDER**

Gary Kaplan DPM v Lexington Insurance Co

Docket No. 287488

LC No. 07-000300-CK

William C. Whitbeck  
Presiding Judge

Peter D. O'Connell

Stephen L. Borrello  
Judges

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The Court orders that the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**JAN 23 2009**

Date

*Sandra Schultz Mengel*  
Chief Clerk